

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION**

LOIS J. BROWN and CHARLES H.  
BROWN,

Plaintiffs,

v.

MICHAEL L. SPICHIGER,

Defendant.

)  
)  
)  
)  
)  
)  
)  
)  
)  
)

CAUSE NO. 1:10-CV-158

**OPINION AND ORDER**

On January 5, 2012, Plaintiffs were granted leave to file a further Amended Complaint by January 19, 2012, alleging diversity of citizenship and adding a claim of rescission. Plaintiffs filed their Second Amended Complaint on January 19th, but it still does not allege diversity of *citizenship*. (Docket # 99.) Therefore, Plaintiffs have up to and including January 30, 2012, to file a Third Amended Complaint that properly alleges the *citizenship* of the parties. If a Third Amended Complaint is not filed, then the Second Amended Complaint will be subject to dismissal for lack of jurisdiction.

SO ORDERED.

Enter for this 23rd day of January, 2012.

/S/ Roger B. Cosbey

Roger B. Cosbey,  
United States Magistrate Judge